



UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gary D'ANGELO Group Art Unit: 3745
Serial No.: 10/625,295 Examiner: Unknown
Filed: July 22, 2003 Confirmation No.: 7906

For: BLEED VALVE SYSTEM

Docket No.: H0004409--3114
Customer No. : 000128

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to:

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on May 21, 2004

Signature:

Ivan J. Mlachak

PETITION TO INCLUDE OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

This Petition responds to the Office Action mailed March 23, 2004. As requested, a copy of the OA is attached hereto behind Exhibit A.

The OA asserts that figures were apparently omitted from the application and invites the Applicant to respond in one of several ways. Applicant asserts that the allegedly omitted items were in fact deposited in the US Patent and Trademark Office (USPTO) with all other nonprovisional papers. Applicant thus elects to pursue response/option I among those listed in the OA. In support of this Petition, Applicant would refer to the following evidence.

As the primary evidence in support of this Petition, Applicant refers to the attached copy of the Postcard, Exhibit B hereto. This Postcard bears the stamp of the USPTO as received on 07/22/03. The Postcard indicates that six (6) sheets of drawings were included in the application package. There is no indication on the Postcard to suggest that the drawings were not present when received at the USPTO. This Postcard was submitted with the application in question as noted by the consistent title, "Bleed Valve System" and the Attorney Docket No.: H0004409. The filing number assigned to the Postcard, 10/625295 is the same application number now attached to the application in question. Thus all indications of the Postcard are consistent with it being regularly created and regularly processed through the USPTO.

Applicant includes other papers in support of this Petition at Exhibit C. Specifically, these papers include the following:

- a copy of the stamped Express Mail label sent with the application papers;
- a copy of the application transmittal document; and
- a copy of the certificate of mailing that also itemizes enclosures.

It is submitted that these papers also support the Applicant's Petition. The documents indicate a regularity and consistency with the application. Thus, they support the primary evidence of the USPTO stamped Postcard – that indeed six sheets of drawings accompanied the application papers. For example, the mailing date matches among the documents: July 22, 2003. Both the Certificate of Mailing and the Transmittal further show that six sheets of drawings were included in the application. Also, both the Certificate of Mailing and the Transmittal also indicate that a Postcard was included with the documents. Thus, all documents indicate that figures were regularly included in the application.

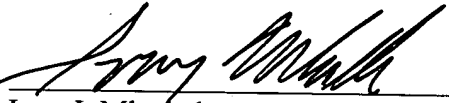
Copies of the figures in question were found in the Applicant's file. A true and correct copy of each of the six (6) figures is attached with this Petition at Exhibit D. Applicant respectfully requests that this Petition be granted and that these figures be made a part of said application with the original filing date thereof.

A fee accompanies this Petition in the amount of \$130.00. Pursuant to 37 CFR 1.17(h), Applicant respectfully requests that, upon acceptance of this Petition, this fee be refunded and credited to the account of Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: May 21, 2004

By: 
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